REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to claim 2 because the term "the electric-surface forming surface" lacks antecedent basis in the claim. The Examiner suggests amending the same to --the electric-element forming surface--. In response, claim 2 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to claim 2 be withdrawn.

In the Official Action, the Examiner rejects claims 2 and 3 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,188,504 to Murakami et al., (hereinafter "Murakami") in view of U.S. Patent No. 4,421,381 to Ueda et al. (hereinafter "Ueda"). In response, claims 2 and 3 have been amended to clarify their distinguishing features.

The present invention, in claims 2 and 3 recite a mirror rocking member for an optical deflector having (a) the movable plate including a first portion having a reflective surface and a second portion having an electric element; where (b) a reflective-surface forming surface of the first portion is formed smaller than an electric-element forming surface of the second portion, (c) the reflective-surface forming surface of the first portion is reflective substantially throughout, (d) the reflective-surface forming surface of the first portion is located opposite to the electric-element forming surface of the second portion in the thickness direction of the movable plate; (e) the electric-element forming surface of the second portion is rectangular; (f) and the reflective-surface forming surface of the first portion is elliptical or dodecagonal. Claims 2 and 3 have been amended to further recite that (g) the fist and second portions of the movable plate are substantially formed of the same material. The amendment to claims 2 and 3 is fully supported in the original disclosure, particularly in

the Drawings at Figs. 1 and 2. Therefore, no new matter has been entered into the disclosure by way of the amendment to claims 2 and 3.

By virtue of the above features (a) to (g), the present invention can reduce the moment of inertia of the entire movable plate, and provide an optical deflector, which has a higher driving efficiency while maintaining optical performance (see stated objective on page 3 of the present specification).

On the other hand, the optical deflector disclosed in Figs. 36 to 44 of Murakami lacks at least the features (f) and (g) of the above features (a) to (g). To be more specific, if the feature (a) is applied to Murakami and a layer denoted by reference numeral 705 in Fig. 37 of Murakami and the uppermost layer therein are considered to correspond to the first and second portions, respectively, the first layer is formed of a silicon substrate, and the second layer is formed of a polyimide layer. That is, the first and second layers of Murakami are formed of different materials. Therefore, Murakami does not disclose at least the feature (g) discussed above. The same is true of the other embodiments of Murakami. Applicants further respectfully submit that feature (f) is also not disclosed in Murakami, as recognized by the Examiner in the Official Action.

Furthermore, although the first portion of Murakami is tapered upwards, this formation merely results from the use of wet-etching in the manufacturing process, i.e., it is not provided to reduce the moment of inertia of the entire movable plate. This is also apparent from the fact that Murakami does not disclose or contemplate the reduction of the movement of inertia of the entire movable plate and the advantages resulting therefrom from features (a)-(g).

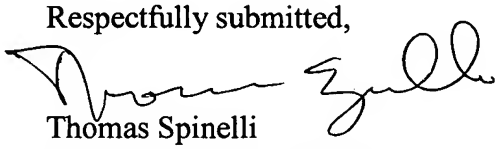
The optical deflector disclosed in Fig. 16 of Ueda does not disclose at least the feature (d) of the above features (a) to (g) recited in claims 2 and 3. To be more specific, if the feature (a) is applied to Ueda and a region denoted by reference numeral 4 in Fig. 16 of Ueda and a region denoted by reference numeral 5 therein are considered to correspond to the first and second portions, respectively, the reflective-surface forming surface of the first portion is located in the same plane as the electric-element forming surface of the second portion. Accordingly, Ueda lacks at least feature (d) as discussed above. The same is true of the other embodiments of Ueda et al. In such a manner, if the reflective-surface forming surface of the first portion is located in the same plane as the electric-element forming surface of the second portion as in Ueda, the moment of inertia of the entire movable plate could not be effectively reduced.

As stated above, neither Murakami not Ueda disclose or suggest a specific structure for reducing the moment of inertia of the entire movable plate. Therefore, there is no motivation or suggestion for combining the features of Murakami and Ueda to result in the structure recited in claims 2 and 3 for reducing the moment of inertia of the entire movable plate. Thus, the combination of Murakami Ueda would not have been obvious to one or ordinary skill in the art at the time of the invention. Therefore, the rejection of claims 2 and 3 under 35 U.S.C. 103(a) is improper and must be withdrawn.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be

allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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